



Montgomery County, Maryland

## COUNTY COUNCIL AGENDA

COUNCIL HEARING ROOM, 100 MARYLAND AVENUE, ROCKVILLE, MARYLAND 20850  
240/777-7900 • TTY 240/777-7914 • FAX 240/777-7989 • [www.co.mo.md.us/council](http://www.co.mo.md.us/council)

*The Council Agenda is subject to change any time after printing or during the Council meeting. Please contact the Council Office to obtain current information.*

*This meeting will be televised live on Channel 6; repeated on 2/7/03 at 8 pm and 2/8/03 at 9 am*

### Monday, February 3, 2003

- (1) 12:30-1:30 **DISCUSSION** - State Legislative Program (6th floor Council Conference Room) (Wenger)

### Tuesday, February 4, 2003

- (2) 8:30-10:00 **Annual Meeting** with Board of Education (3rd floor Council Conference Room) (Planell)

10:15 **INVOCATION** - Reverend Dr. Charles Harrell, Faith United Methodist Church, Rockville

10:20 **PRESENTATION** - Proclamation in recognition of Quince Orchard High School Girl's Soccer Team, Winners of State Championship by Councilmember Andrews

10:25 **PRESENTATION** - Proclamation in recognition of Montgomery College Championship Chess Team by Councilmember Floreen

10:30 **GENERAL BUSINESS**

- (3) A. **Announcement** - Agenda and Calendar Changes (Lauer)  
B. **Action** - Approval of Minutes: January 13 and 14, 2003 (Edgar)  
C. **Acknowledgement** - Receipt of Petitions (McGuire)

- (4) 10:35 **CONSENT CALENDAR**

A. **Introduction** - Resolution to approve Executive/Council Memorandum of Understanding regarding County Cable Montgomery (Lacefield)

B. **Introduction** - Resolution to authorize Advance Taking - Ken Branch Storm Drain (Orlin)  
*T&E Committee worksession tentatively scheduled for 2/6/03 at 9:00 am.*

C. **Introduction** - Resolution to establish Arts and Entertainment District Advisory Panel (Ferber)

D. **Introduction** - Resolution to approve a Certain Finance Plan of the Washington Suburban Sanitary Commission for the Issuance of Refunding Bonds (Levchenko)



(4) 10:35 **CONSENT CALENDAR** (continued)

- E. **Introduction** - Resolution to support state action to preserve CareFirst Blue Cross Blue Shield as a strong non-profit health insurer (Garcia)
- F. **Introduction** - Resolution to support State Financing for the Gramax Building (Trombka)  
*PHED Committee worksession tentatively scheduled for 3/17/03 at 9:45 am.*
- G. **Action** - Supplemental Appropriation to the County Government's FY03 Operating Budget, Department of Health and Human Services - \$512,010 for the Public Health Services' Bio-defense Program Grant (Source: State grant) (McGuire)  
*HHS Committee recommends approval.*
- H. **Action** - Supplemental Appropriation to the County Government's FY03 Capital Budget and FY03-08 Capital Improvements Program, Department of Environmental Protection \$280,000 for Stormwater Management Retrofit: Countywide (Source: Federal Aid) (Levchenko)  
*T&E Committee recommends approval.*
- J. **Action** - Confirmation of County Executive appointments to the Western Area Recreation Advisory Board: Robert Kemelhor; James Krzyminski; David Magill; Bette C. Thompson; Steven M. Bonavita; Adam C. Striegel (Ferber)
- K. **Action** - Confirmation of County Executive appointments to the Taxicab Services Advisory Committee: John J. Dillon; Elizabeth Ellis (Ferber)
- L. **Action** - Confirmation of County Executive appointments to the Commission on Juvenile Justice: Francine L. Applewhite; Peter D. H. Bath; Susan Lum Shewchuk; Michael L. Subin (Ferber)

(5) 10:40 **ACTION** - Appointments to the Merit System Protection Board (Ferber)

(6) 10:45 **DISTRICT COUNCIL SESSION**

- A. **Action** - Resolution to extend time for Issuance of Hearing Examiner's Report and Recommendation on Local Map Amendment G-792 until March 3, 2003 (Wilson)
- B. **Introduction** - Zoning Text Amendment 03-02, Special Exception Need Requirement (Wilson)  
*Action - Resolution to establish public hearing for 3/18/03 at 1:30 pm.*

(7) 10:50 **ACTION** - Spending Affordability Guidelines for the FY04 Capital Budget and other general CIP assumptions (Orlin)  
*MFP Committee recommends approval.*

- (8) 11:30 **DISCUSSION** - Council Approach to FY04 Capital Budget and FY03-08 CIP Amendments (Orlin)

11:45 **LEGISLATIVE SESSION Day #3**

- A. Approval of Legislative Journal - November 26, December 3, December 10, 2002 (Edgar)  
B. Introduction of Bills  
(9) • **Expedited Bill 1-03**, South Germantown Recreational Park - Tennis Center - Lease Amendments, sponsored by Council President at request of Maryland-National Capital Park and Planning Commission (Faden)  
*Public Hearing is scheduled for 2/11/03 at 1:30 pm.*  
(10) • **Bill 2-03**, Noise - Mobile Telephone Use, sponsored by Councilmember Denis (Healy/Faden)  
*Public Hearing will be scheduled at a later date.*  
C. Call of Bills for Final Reading  
(11) • **Bill 38-02**, Moderately Priced Dwelling Units - Optional Construction (Faden)  
*PHED Committee recommends approval with amendments.*

12:00 **RECESS** - 12:00 Noon New Councilmember Orientation Session in 6CCR

- (12) 1:30 **PUBLIC HEARING** on the following Supplemental Appropriations to the MCPS FY03 Operating Budget: (Planell)  
• \$1,950,475 for Downcounty Consortium (Federal funds)  
• \$630,000 K-12 Digital Library Project Partnership (State funds)  
• \$303,181 High School Science Vertically Integrated Partnerships (Private Grant)  
• \$247,001 Middle School Science Educational Research Initiative (Private Grant)  
*ED Committee worksession tentatively scheduled for 2/6/03 at 2:00 pm.*  
(13) 1:30 **PUBLIC HEARING** - Supplemental Appropriation to the County Government's FY03- Capital Budget and amendment to the FY03-08 Capital Improvements Program, Department of Public Works and Transportation - \$1,685,000 for Emergency Operations Center and Transportation Management Center Co-location at the Emergency Communications Center (G.O. Bonds, Land Sale Proceeds, Reduction in Federal Aid)(McMillan)  
*Action is tentatively scheduled for 2/11/03.*  
(14) 1:45 **DISCUSSION/ACTION** - Purple Line option between Bethesda and Silver Spring (Orlin)

4:00 **ADJOURN**

\*7:30 **PUBLIC HEARING** - FY04 Capital Budget and amendments to FY03-08 Capital Improvements Program, and WSSC's FY04-09 Capital Improvements Program

**\*NOTICE** - This evening's public hearing has been cancelled -- All testimony will be taken at the CIP public hearing on Tuesday, February 11, 2003, at 7:30 pm.

**The following appointments were received from the County Executive and are tentatively scheduled for confirmation on February 11, 2003:**

**Noise Control Advisory Board:** Ryan M. Colker; Jane Stunkel; Rudolph H. Volin

**Commission on Juvenile Justice:** Laurie E. Ekstrand

**Chair, Taxicab Services Advisory Committee:** John J. Dillon

### **COUNCIL MEETINGS**

**Note: See the IN COMMITTEE for a listing of the Committee meetings currently scheduled.**

<b>Feb. 5, 2003</b>	7:30 p.m.	Town Hall Meeting at Montgomery Village
<b>Feb. 10, 2003</b>	12:30 p.m.	State Legislation
<b>Feb. 11, 2003</b>	9:00 a.m.	Regular Session
<b>Feb. 17, 2003</b>		President's Day - Holiday
<b>Feb. 18-21, 2003</b>		Council Recess
<b>Feb. 24, 2003</b>	12:30 p.m.	State Legislation
<b>Feb. 25, 2003</b>	9:00 a.m.	Regular Session
<b>Feb. 28 - Mar. 4, 2003</b>		NACo Conference
<b>Mar. 3, 2003</b>	12:30 p.m.	State Legislation
<b>Mar. 4, 2003</b>	8:30 a.m.	Biannual Meeting with WSSC
<b>Mar. 4, 2003</b>	9:45 a.m.	Regular Session
<b>Mar. 10, 2003</b>	12:30 p.m.	State Legislation
<b>Mar. 11, 2003</b>	8:30 a.m.	Meeting with Board of Appeals
<b>Mar. 11, 2003</b>	9:45 a.m.	Regular Session
<b>Mar. 17, 2003</b>	12:30 p.m.	State Legislation
<b>Mar. 18, 2003</b>	9:00 a.m.	Regular Session
<b>Mar. 20, 2003</b>	7:30 p.m.	Annual Meeting with Maryland Municipal League
<b>Mar. 24, 2003</b>	12:30 p.m.	State Legislation
<b>Mar. 25, 2003</b>	9:00 a.m.	Regular Session
<b>Mar. 31, 2003</b>	12:30 p.m.	State Legislation

### **Public Hearings - To Testify call 240-777-7931**

#### **February 6, 2003**

7:30 pm FY03 Budget Savings Plan

#### **February 11, 2003**

1:30 pm **Expedited Bill 1-03**, South Germantown Recreational Park - Tennis Center -Lease Amendments

7:30 pm FY04 Capital Budget and amendments to FY03-08 Capital Improvements Program, and WSSC's FY04-09 Capital Improvements Program

#### **February 25, 2003**

7:30 pm Zoning Text Amendment 03-01, Moderately Priced Dwelling Units - Special development requirements

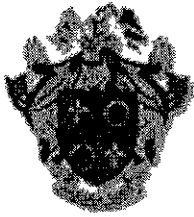
#### **March 3, 2003**

1:30pm Resolution to amend County's Energy Policy



**If persons with disabilities need services or aides to participate in any Council activity, please call 240-777-7900 five days in advance. This agenda is available in an alternative format upon request.**

**[www.co.mo.md.us/council](http://www.co.mo.md.us/council)**



**Montgomery County Council**  
**Legislative Information Services**

**Packet Index**

**Tuesday, February 4, 2003**

<b>Item Number</b>	<b>Note</b>	<b>Staff</b>
(4)	10:35 CONSENT CALENDAR	
Add:	<p><b>M. Introduction</b> - Supplemental Appropriation to the County Government's FY03 Capital Budget and amendment to FY03-08 Capital Improvements Program, Department of Recreation - \$200,000 for the Long Branch Pool Improvements (Source: GO Bonds and State Aid) (Sherer) <i>Public Hearing is scheduled for 2/25/03 at 1:30 pm.</i></p>	
Add:	<p><b>N. Introduction</b> - Supplemental Appropriation to the FY03 Capital Budget and amendment to the FY03-08 Capital Improvements Program, Department of Recreation, Public Arts Trust - \$100,000 for the September 11th Memorial Committee projects (Source: GO Bonds) (Davidson) <i>Public Hearing is scheduled for 2/25/03 at 1:30 pm.</i></p>	
Add:	<p><b>O. Introduction</b> - Special Appropriation to Montgomery College's FY03 Capital Budget and amendment to FY03-08 Capital Improvements Program, \$700,000 for Life Safety Systems (\$500,000 for fire alarm systems and \$200,000 for emergency generator) (Source: GO Bonds and insurance proceeds) (Sherer) <i>Public Hearing is scheduled for 2/25/03 at 1:30 pm.</i></p>	
Add:	<p><b>P. Introduction</b> - Resolution to support State Financing for Greenwood Terrace Apartments in Silver Spring (Trombka) <i>Action is tentatively scheduled for 2/11/03.</i></p>	
<b>SPECIAL NOTICE:</b>		
Announcement:	<p><b>Introduced on 1/14/03</b> - Special Appropriation to the County Government's FY03 Operating Budget, Department of Public Libraries - \$168,560 for Bethesda Library (General Fund) (Davidson) <i>Public Hearing is scheduled for 2/06/03 at 7:30 pm.</i></p>	